

## Court of Appeals, State of Michigan

### ORDER

**US Bank National Association v Gretchen Molotky**

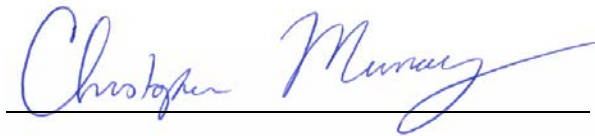
Docket No. **356096**

LC No. **19-005634-CH**

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Christopher M. Murray, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is **DISMISSED** for lack of jurisdiction. MCR 7.203(A) provides this Court with jurisdiction of an appeal of right filed by an aggrieved party from a final order as defined in MCR 7.202(6). The final order in this case pursuant to MCR 7.202(6)(a)(i) is the January 5, 2021 stipulated order discharging lis pendens and dismissing plaintiff-appellee's amended complaint with prejudice. Nevertheless, defendant-appellant is precluded from appealing the January 5, 2021 order as of right because the order is a consent order, which does not include a provision reserving the right to appeal rulings of the trial court. A party cannot appeal from a consent order, *Dora v Lesinski*, 351 Mich 579, 582; 88 NW2d 592 (1958), unless the party has reserved the right to appeal a trial court ruling, *Travelers Ins v Nouri*, 456 Mich 937; 575 NW2d 561 (1998). See also *Field Enterprises v Dep't of Treasury*, 184 Mich App 151, 153; 457 NW2d 113 (1990). Moreover, to the extent that defendant-appellant is attempting to appeal the December 31, 2020 order granting and denying motions for summary disposition, that order is not a final order appealable by right because it did not dispose of all the claims and adjudicate the rights and liabilities of all the parties. MCR 7.202(6)(a)(i); MCR 7.203(A).





A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

January 26, 2021  
Date

  
Chief Clerk